

In the Court of the Principal District Judge, Madurai.

Present : Tmt.A. Nazeema Banu, B.A., L.L.M.,

Principal District Judge, Madurai.

Friday, this the 21st day of August -2020.

Crl.M.P.No.3775/2020

1. T.Sakthimurugan, S/o.Madasamy
 2. M.Ponraj, S/o.Madasamy
 3. A.Udhayaprakash, S/o.Arumugam
- ... Petitioners/Accused.

Vs

State through the Inspector of Police,

Kallikudi P.S. Cr.No.1000/2020

... Respondent/Complainant.

This petition taken up today for hearing at request through e.mail/ e.petition and after hearing the arguments of Thiru.R.Manickaraj, Advocate for the petitioner and of Thiru.M. Tamil Chelvan, the Public Prosecutor for the state over conference call, this court passed the following

Order

1. Anticipatory Bail application u/s. 438 of Cr.p.c.
2. The offences alleged are U/s. 379 of IPC r/w. 21(4) of MMDR Act.
3. Heard.
4. Considered the argument of the both sides. The learned counsel for the petitioners would submit that the respondent police has registered a case against accused in Cr.No.1000/2020 U/Sec. 379 of IPC r/w. 21(4) of MMDR Act. He filed this petition for 3 petitioners and he not pressed the petition for the petitioners 2 and 3. The date of occurrence was on 22.7.2020. The 1st petitioner is the owner of the 3 lorries involved in this case. It is alleged that totally 22 units of gravel sand transported in 3 lorries. The 1st petitioner has no knowledge about the offence. Hence, he prays to grant anticipatory bail to the 1st petitioner.
5. The learned public prosecutor has submitted that the petitioners have committed theft of 22 units gravel sand and transported in 2 Tarass lorries and 1 tipper lorry, bearing registration Nos.TN 16 E 3459, TN 16 E 6014 and TN 16 E 3919. The 1st petitioner is the owner of the above said lorries. No one is

arrested in this case. He raised strong objection in granting anticipatory bail to the petitioners. The learned counsel for the petitioners moved anticipatory bail for 3 petitioners and he has not pressed the petition for the petitioners 2 and 3. The 1st petitioner is said to have accompanied with other accused and transported 24 units of gravel sand in 3 lorries without permit. Considering the huge quantity of sand and no one is arrested in this case, this Court is not inclined to grant anticipatory bail to the 1st Petitioner.

6. In the result, the anticipatory bail petition for the 1st petitioner is dismissed.

7. As far as the petitioners 2 and 3 concerned, the anticipatory bail petition is dismissed as “ Not pressed. ”

Pronounced by me in Camp Court on the 21st day of August -2020.

Sd/- A.Nazeema Banu

Principal District Judge, Madurai

Copy to

1. The Judicial Magistrate concerned.